

REMARKS

Applicants have studied the Office Action dated April 1, 2005, and have made amendments to the claims. Claims 1-20 are pending. Claims 1-13 and 17-19 have been amended. New claim 20 has been added. The amendments to claims 2-4, 6-9, 11-13 and 17 are intended to correct typographical errors and more clearly disclose the invention and are not related to patentability. No new matter was added. Claims 1, 10 and 18 are independent claims. It is submitted that the application, as amended, is in condition for allowance. Reconsideration and reexamination are respectfully requested.

Amendments to Specification

An amendment has been made to the specification at page 1 to claim foreign priority and to paragraphs 0001, 0003, 0020, 0021, 0023, 0026-0030, 0032, 0033, 0037, 0038 and 0040 to correct typographical errors and more clearly disclose the invention. No new matter has been added as the amendments have support in the application as originally filed.

Claim for Foreign Priority Under 35 U.S.C. § 119

In the Office action, the Examiner acknowledged the Applicant's claim for foreign priority under 35 U.S.C. § 119 and the receipt of the certified copy of the priority document. Applicant has amended the specification to claim priority under 35 U.S.C. § 119(a) to Korean Application No. 10-2002-63322, filed on October 16, 2002.

§ 102 Rejection

Claims 1 – 4 and 6 – 18 were rejected under 35 U.S.C. § 102(e) as being anticipated by Kishi et al. (“Kishi” U.S. Patent No. 5,687,083). Applicant respectfully disagrees with the Examiner's interpretation of Kishi and traverses the rejection.

With this paper, independent claims 1, 10 and 18 have been amended to recite that an approach road having a predetermined angle from due north is placed on a vertical line. Support for the amendment may be found in the specification as originally filed at paragraph 0074 and this feature of the present invention is important “to minimize the number of points (coordinates)” that must be stored. See specification at paragraph 0075. It is respectfully submitted that Kishi fails to disclose this limitation.

It is respectfully noted that a proper rejection for anticipation under § 102 requires complete identity of invention. The claimed invention, including each element thereof as recited in the claims, must be disclosed or embodied, either expressly or inherently, in a single reference. Scripps Clinic & Research Found. v. Genentech Inc., 927 F.2d 1565, 1576, 18 U.S.P.Q.2d 1001, 1010 (Fed. Cir. 1991); Standard Havens Prods., Inc. v. Gencor Indus., Inc., 953 F.2d 1360, 1369, 21 U.S.P.Q.2d 1321, 1328 (Fed. Cir. 1991).

With respect to the rejection of dependent claim 11, the Examiner asserts, at paragraph 6 of the Office action, that Kishi discloses “means for vertically placing the approaching road and other departing roads on the display” and cites FIGS. 3 and 5 to support the assertion. It is respectfully noted that the Examiner has not cited any disclosure in the text of the Kishi specification to support the assertion.

It is respectfully noted that “[w]hen a reference does not disclose that the drawings are to scale and is silent as to dimensions, arguments based on measurement of the drawing features are of little value.” It is further respectfully noted that the disclosure in Kishi related to FIGS. 3 and 5 is silent regarding the angle between the “selected route ... 100” or “[t]he road on which the car is driving ... R_s” and due north. See Kishi at col. 4, ll. 38-54 and col. 5, ll. 53-65. It is respectfully submitted that FIGS. 3 and 5 of Kishi are not sufficient to disclose an approach road having a predetermined angle from due north is placed on a vertical line given the lack of any supporting disclosure in the specification since the word “vertical” implies a relative relationship, thereby requiring “measurement.”

It is respectfully asserted that independent claims 1, 10 and 18 are allowable over the cited reference. It is further respectfully asserted that claims 2-4 and 6-8, which depend from claim 1, and claims 11-17, which depend from claim 10, also are allowable over the cited reference.

§ 103 Rejection

Claims 5 and 19 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Kishi in view of Hulverscheidt et al. (U.S. Patent No. 6,762,696). This rejection is respectfully traversed.

It is respectfully noted that the Federal Circuit has provided that an Examiner must establish a case of prima facie obviousness. Otherwise the rejection is incorrect and must be overturned. As the court stated in In re Rijkaert, 28 USPQ2d 1955, 1956 (Fed. Cir. 1993):

“In rejecting claims under 35 U.S.C. § 103, the examiner bears the initial burden of presenting a prima facie case of obviousness. Only if that burden is met, does the burden of coming forward with evidence or argument shift to the applicant. ‘A prima facie case of obviousness is established when the teachings from the prior art itself would appear to have suggested the claimed subject matter to a person of ordinary skill in the art.’ If the examiner fails to establish a prima facie case, the rejection is improper and will be overturned.” (citations omitted.)

As was previously noted, independent claims 1 and 18 have been amended to recite that an approach road having a predetermined angle from due north is placed on a vertical line and Kishi fails to disclose this limitation. It is further respectfully submitted that Hulverscheidt fails to cure this deficiency of the Kishi reference as Hulverscheidt discloses only an arrow with no disclosure of any approach road. Therefore, it is respectfully asserted that claims 1 and 18 are allowable over the cited references.

Furthermore, with this paper, claims 5 and 19 have been amended to recite that a width of the center circle [is] identical to a width of the upper body and the lower body. Support for the amendment may be found in the specification as originally filed at paragraph 0082 and this feature of the present invention is important “for the purpose of minimization in the number of points used.” See specification at paragraph 0084. It is respectfully submitted that neither Kishi nor Hulverscheidt discloses this limitation.

It is respectfully noted that the Examiner indicates, at paragraph 12 of the Office action, that Kishi fails to disclose “the turn guide arrow is arranged with a lower arrow, a center circle, an upper body and a head.” It is respectfully submitted that nowhere in Hulverscheidt is a turn guide arrow disclosed in which a width of the center circle [is] identical to a width of the upper body and the lower body. It is further respectfully noted that the “symbol 7” of the turn guide arrows disclosed in Hulverscheidt is arguably represented as larger than the “bar 5” and the “arrows 6a, 6b, 6c.” See Hulverscheidt FIGS. 3a, 3b, and 3c.

Therefore, it is respectfully asserted that claims 5 and 19 are allowable over the cited references based on their dependence from respectively, claims 1 and 18, as well as based on the lack of disclosure in the references of a width of the center circle [is] identical to a width of the upper body and the lower body.

New Claim

With this paper, new claim 20 has been added. It is respectfully asserted that claim 20 is in condition for allowance for the same reasons given herein for the allowance of claim 18, on which it depends.

CONCLUSION

In view of the above remarks, Applicant submits that claims 1-20 of the present application are in condition for allowance. Reexamination and reconsideration of the application, as amended, are requested.

The Examiner has cited multiple references as being made of record and not relied upon. Applicant has studied the references and believes they neither anticipate nor render obvious the present invention either alone or in combination.

No amendment made was related to the statutory requirements of patentability unless expressly stated herein; and no amendment made was for the purpose of narrowing the scope of any claim, unless Applicant has argued herein that such amendment was made to distinguish over a particular reference or combination of references.

If for any reason the Examiner finds the application other than in condition for allowance, the Examiner is requested to call the undersigned attorney at the Los Angeles, California, telephone number (213) 623-2221 to discuss the steps necessary for placing the application in condition for allowance.

Date: June 23, 2005

Respectfully submitted,

LEE, HONG, DEGERMAN, KANG & SCHMADEKA

By: 

Richard C. Salfelder

Registration No. 51,127

Attorney for Applicant

Customer No. 035884

801 South Figueroa Street, 14th Floor
Los Angeles, California 90017
Telephone: (213) 623-2221
Facsimile: (213) 623-2211